REMARKS

Claims 1-42 and 44-53 are pending in the present patent application. Claims 1-16 are allowed. Claims 17-42 and 44-53 stand rejected. By this Amendment, claims 17 and 48 have been amended. This application continues to include claims 1-42 and 44-53.

Applicant thanks the Examiner for allowing claims 1-16.

In addition, Applicant thanks the Examiner for considering Applicant's previous arguments, and for finding Applicant's arguments with respect to claims 30-47 and 53 to be persuasive as with respect to the previous references.

Claims 17-23, 26, 28, 30, 48, and 50-52 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kato, U.S. Patent No. 6,141,111 (hereinafter, Kato) in view of Iguchi, et al., U.S. Patent No. 6,473,153 B2 (hereinafter, Iguchi). Applicant respectfully requests reconsideration of the rejection of claims 17-23, 26, 28, 30, 48, and 50-52 in view of the following.

Kato is directed to printing, including providing various designations relative to an extra-copy printing using, for instance, an extra-copy designation sheet (col. 1, lines 8-10). An extra-copy designation sheet 100, includes a user ID input portion 101, a bin output selection portion 104, an E-mail deliver selection portion 105, an image index portion 102 and an extra-copy check portion 103 (col. 5, lines 25-29). In order to produce the extra-copy designation sheet 100, image data taken by a digital still camera is stored in image data memory 65 of image printer 26, and when the operator designates printing of the designation sheet 100, CPU 1 of image printer 26 compresses the image data, which is used for image index portion 102 (col. 5, lines 48-61), and the extra-copy designation sheet 100 is printed based on the number of copies of the image (col. 5, line 62 to col. 6, lines 5).

Kato discloses a process wherein an image is taken by digital still camera 11 at step S1, which is transferred to the image printer at step S2 (col. 6, lines 6-16, Fig. 5). The image printer then produces the extra-copy designation sheet 100 at step S3, and the operator then enters information onto the extra-copy designation sheet 100 at step S4, and inputs extra-copy designation sheet 100 into image printer 26 at step S5 (col. 6, lines 17-25, Fig. 5).

At step S6, image printer 26 recognizes the data entered by the operator, and stores the recognition results in extra-copy designation sheet recognition result data portion 58 at step S7 (col. 6, lines 26-33, Fig. 5). The images are then emailed or sorted by user ID and printed at steps S8-S10 (col. 6, lines 34-52, Fig. 5).

Iguchi is directed to a photographic print producing method (col. 1, lines 7-8). Photosensitive material exposed by a print producing unit 205 is developed and dried to produce a photographic print P1 (development-print simultaneous process), photographic print P2 (enlarged print) and photographic print P3 (guide print) (col. 13, lines 1-5). The guide print displays sample images with different degrees of lightness and color tone using the sample image, an example of which is shown in Fig. 3 (col. 13, lines 28-32). The guide print P3 is then given to the customer, who designates an image suited to his preference by encircling "OK" below the image, and the marked print P3 is read by the reflective original input apparatus 210 (col. 14, lines 1-8).

Guide print P3 includes a print portion and a transparent sheet TS, which is marked by the customer, and only the sheet TS is input into the reflective original input apparatus 210 to allow reading of the character even if written on a black image with a black pen (col. 18, lines 32-50, Fig. 9).

Iguchi also discloses that trimming region designation information of the guide print P2 can be formed by the customer himself directly entering it on the frame image 10 using a ball-point pen, felt tipped pen, pencil or any desired writing tool W (col. 22, lines 47-50, Fig. 13).

In addition, trimming a human face formed on photographic print P1 may be performed using guide print P2, wherein trimming region designation information is formed on the frame image by the customer (col. 25, lines 39-46).

The use of guide print P2 for designating trimming region and instruction information for photographic print P1 is described from column 27, line 16, to column 28, line 31, in which Iguchi discloses that a transparent material P2a is laid on top of the guide print P2 so that trimming region designation, instruction information, and other types of information can be directly written onto the transparent material (col. 27, lines 30-34). Since the rewritable transparent material P2a is used, the information is not directly entered on the guide print P2 per se or in the photographic print P1 per se, which prevents the guide print P2 or photographic print P1 from being contaminated (col. 27, lines 39-43, Fig. 20).

In addition, an auxiliary tool S can be used, wherein the trimming region designation and other information is not directly written on photographic print P1 and guide print P2 per se, preventing photographic print P1 and guide print P2 from being contaminated (col. 28, lines 21-31, Fig. 21).

Applicant believes that claims 17-23, 26, 28, 30, 48, and 50-52 patentably define Applicant's invention over Kato and Iguchi, taken alone or in combination, for at least the reasons set forth below.

Claim 17 is directed to a method for selecting images from a plurality of images obtained from a digital device for printing with an imaging apparatus, said imaging apparatus having a scanner and accessing a memory storing said plurality of images.

As amended, claim 17 recites, in part, providing a confirmation for confirming to a user said each image on which said first action to be taken is designated.

Applicant respectfully submits that Kato and Iguchi, taken alone or in combination, do not disclose, teach, or suggest providing a confirmation for confirming to a user each image on which the first action to be taken is designated, as recited in amended claim 17, nor is it so asserted.

Rather, Kato discloses that once the extra-copy designation sheet is read, the final output is performed (col. 6, lines 26-38), without any intermediate act of confirming to the user that each image is designated for an action, as recited in amended claim 17.

Similarly, Iguchi does not disclose, teach, or suggest confirming to the user that each image is designated for an action, as recited in amended claim 17.

Accordingly, Kato and Iguchi, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 17. Claim 17 is thus believed allowable in its present form.

Claims 18-23, 26, 28 and 30 are believed allowable due to their dependence, directly or indirectly, on otherwise allowable base claim 17. In addition, claims 18-23, 26, 28 and 30 further and patentably define Applicant's invention over Kato and Iguchi, taken alone or in combination, for at least the reasons set forth in Applicant's previous Response, electronically filed February 23, 2007.

Claim 48 is directed to a method for selecting images from a plurality of images obtained from a digital device for printing with an imaging apparatus, said imaging apparatus having a scanner and accessing a memory storing said plurality of images.

As amended, claim 48 recites, in part, providing a confirmation for confirming to a user that at least one of said first action and said second action is designated to be performed.

Applicant respectfully submits that Kato and Iguchi, taken alone or in combination, do not disclose, teach, or suggest providing a confirmation for confirming to a user that at least one of the first action and the second action is designated to be performed for substantially the same reasons as set forth above with respect to claim 17.

Accordingly, Kato and Iguchi, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 48. Claim 48 is thus believed allowable in its present form.

Claims 50-52 are believed allowable due to their dependence, directly or indirectly, on otherwise allowable base claim 48. In addition, claims 50-52 further and patentably define Applicant's invention over Kato and Iguchi, taken alone or in combination.

Accordingly, for at least the reasons set forth above, Applicant believes that claims 17-23, 26, 28, 30, 48, and 50-52 are in condition for allowance in their present form, and thus respectfully request that the rejection of claims 17-23, 26, 28, 30, 48, and 50-52 under 35 U.S.C. 103(a) be withdrawn.

Claims 24, 25, 27, 29, and 49 were rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Kato, Iguchi, and Lumley, U.S. Patent No. 7,009,726 B2 (hereinafter, Lumley). Applicant respectfully requests reconsideration of the rejection of claims 24, 25, 27, 29, and 49 in view of the following.

Claims 24, 25, 27, 29 and 49 are believed allowable due to their dependence on their otherwise allowable respective base claims 17 and 48, since, as set forth above with respect to claims 17 and 48, Kato and Iguchi, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claims 17 and 48, and since Lumley does not make up for the

deficiency of Kato and Iguchi as applied to claims 17 and 48, is it so asserted. Rather, Lumley is relied upon for the subject matter recited in claims 24, 25, 27, 29, and 49.

Accordingly, for at least the reasons set forth above, Applicant believes that claims 24, 25, 27, 29 and 49 are in condition for allowance in their present form, and thus respectfully requests that the rejection of claims 24, 25, 27, 29, and 49 under 35 U.S.C. 103(a) be withdrawn.

Claims 30 and 53 were rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Kato, Iguchi, Yamada, U.S. Patent No. 6,089,766 (hereinafter, Yamada) and Miyake, U.S. Patent No. 4,905,090 (hereinafter, Miyake). Applicant respectfully requests reconsideration of the rejection of claims 30 and 53 in view of the following.

Claims 30 and 53 are believed allowable due to their dependence on their otherwise allowable respective base claims 17 and 48, since, as set forth above with respect to claims 17 and 48, Kato and Iguchi, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claims 17 and 48, and since Yamada and Miyake, taken alone or in combination, do not make up for the deficiency of Kato and Iguchi as applied to claims 17 and 48, nor is it so asserted. Rather, Yamada and Miyake are relied upon for the subject matter recited in claims 30 and 53.

In addition, claims 30 and 53 further and patentably define the invention over Kato, Iguchi, Yamada and Miyake, taken alone or in combination.

For example, claim 30 is directed to the method of claim 17, wherein said scanner is an alignment sensor used for aligning a printhead of said imaging apparatus.

Applicant respectfully submits that Kato, Iguchi, Yamada and Miyake, taken alone or in combination, do not disclose, teach, or suggest wherein the scanner is an alignment sensor used for aligning a printhead of the imaging apparatus, as recited in claim 30.

Kato and Iguchi, taken alone or in combination, do not disclose, teach, or suggest the subject matter recited in claim 30, as acknowledged by the Examiner. Rather, Yamada and Miyaki are relied upon.

Yamada discloses that the density of printed patterns is measured by a sensor 31 (col. 9, line 57 to col. 6, line 61), and Miyake discloses a line sensor 5 (col. 3, lines 3-13).

However, Yamada and Miyake, taken alone or in combination, do not in any manner disclose, teach, or suggest how an alignment sensor may be used for detecting a designation mark. Rather, Yamada discloses that sensor 31 measures the density of printed patterns and Miyake discloses a line sensor 5 that scans a document, but without describing the scanning of the document in a manner as might otherwise disclose, teach, or suggest that the sensor 5 may be used for detecting a designation mark.

In addition, and more particularly, Yamada and Miyake, taken alone or in combination, do not in any manner disclose, teach, or suggest how an alignment sensor may be used for detecting a designation mark placed *directly on a thumbnail image* by scanning a selection sheet with Yamada sensor 31 or Miyake line sensor 5.

For example, due to the fact that the designation mark is placed directly on the thumbnail, detecting the designation mark is not simply performed by looking for image data with a sensor, since the information that is background for the designation mark is the thumbnail, not merely a white background, and hence, detecting the designation mark is substantially more complicated than detecting a pattern density as taught by Yamada or employing a line sensor as disclosed by Miyake.

In contrast to Yamada and Miyake, Applicant respectfully directs the Examiner's attention to Applicant's specification at page 9, lines 13-33, wherein Applicant's specification describes how a designation mark may be detected.

Yamada and Miyake, taken alone or in combination, do not disclose, teach, or suggest how such a designation mark may be detected using an alignment sensor, particularly where the designation mark is placed directly on the thumbnail image. Thus, Yamada and Miyaki do not enable the invention of claim 30. Even if combined with Kato and Iguchi, the combination of Kato, Iguchi, Yamada and Miyake would not yield Applicant's invention of claim 30, since none of the cited references, taken alone or in combination, disclose, teach, or suggest how an alignment sensor used for aligning a printhead of an imaging apparatus may be employed to achieve the detection of the designation mark recited in claim 17, which is incorporated by reference into claim 30.

Accordingly, Applicant respectfully submits that Kato, Iguchi, Yamada and Miyake, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 30. Claim 30 is thus believed allowable in its own right.

Claim 53 is directed to the method of claim 48, wherein said scanner is an alignment sensor used for aligning a printhead of said imaging apparatus, and is believed allowable in its own right for substantially the same reasons as set forth above with respect to claim 30.

Accordingly, for at least the reasons set forth above, Applicant believes that claims 30 and 53 are in condition for allowance in their present form, and thus respectfully requests that the rejection of claims 30 and 53 under 35 U.S.C. 103(a) be withdrawn.

Claims 31-40, 44 and 46 were rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Kato, Yoshihara, et al., U.S. Patent No. 6,031,632 (hereinafter,

Yoshihara), Yamada and Miyake. Applicant respectfully requests reconsideration of the rejection of claims 31-40, 44 and 46 in view of the following.

Yoshihara is directed to an image retrieval apparatus capable of printing a mark sheet for retrieval (col. 1, lines 11-12). Yoshihara discloses a reader unit 1 for converting an original into image data, coupled to a printer unit 2 for outputting the image data onto a recording sheet (col. 2, lines 46-52, Fig. 1). Reader unit 1 includes an original-feeding device 101 that conveys originals onto an original-mount glass 102, which is scanned by a CCD 109 based scanner unit 104 (col. 2, line 66 to col. 3, line 6, Figs. 2 and 3).

Yoshihara discloses a mark sheet having marks 1105 and 1106 that identify the sheet as a mark sheet, and are also used for correcting misregistration of the mark sheet; a mark 1107 that is used for discriminating between the up and down positions of the mark sheet, and for correcting misregistration of the mark sheet; and a mark 1108 is used for correcting misregistration of the mark sheet (col. 10, lines 28-33, Fig. 7). The mark sheet is read by reader unit 1 (col. 11, line 28). If the mark 1107 for discriminating between the up and down positions of the mark sheet is present immediately below the mark 1105, it is determined that the up and down positions of the mark sheet are correct, whereas if the mark 1107 is absent, i.e., if the mark sheet is identified by the mark 1106, it is determined that the up and down positions of the mark sheet are reversed (col. 12, lines 32-38).

Applicant believes that claims 31-40, 44 and 46 patentably define Applicant's invention over Kato, Yoshihara, Yamada and Miyake, taken alone or in combination, for at least the reasons set forth below.

Claim 31 is directed to a method for selecting images from a plurality of images obtained from a digital device for printing with an imaging apparatus, said imaging apparatus having a scanner and accessing a memory storing said plurality of images.

Claim 31 recites, in part, detecting said at least one orientation symbol by scanning said selection sheet with said scanner, wherein said scanner is an alignment sensor used for aligning a printhead of said imaging apparatus.

Kato and Yoshihara, taken alone or in combination, do not disclose, teach, or suggest the above-mentioned subject matter of claim 31, nor is it asserted in the rejection of claim 31. Rather, Yamada and Miyake are relied upon.

Applicant respectfully submits that Yamada and Miyake, taken alone or in combination do not disclose, teach, or suggest detecting said at least one orientation symbol by scanning said selection sheet with said scanner, *wherein said scanner is an alignment sensor used for aligning a printhead of said imaging apparatus*, for at least the reasons set forth above with respect to claim 30, since Yamada and Miyake, taken alone or in combination, do not disclose, teach or suggest how an alignment sensor for aligning a printhead may be used for detecting an orientation mark.

Accordingly, Kato, Yoshihara, Yamada and Miyake, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 31. Claim 31 is thus believed allowable in its present form.

Claims 32-40, 44 and 46 are believed allowable due to their dependence, directly or indirectly, on otherwise allowable base claim 31. In addition, claims 32-40, 44 and 46 further and patentably define Applicant's invention over Kato, Yoshihara, Yamada and Miyake, taken alone or in combination, for at least the reasons set forth in Applicant's previous Response, electronically filed February 23, 2007.

Accordingly, for at least the reasons set forth above, Applicant believes that claims 31-40, 44 and 46 are in condition for allowance in their present form, and thus respectfully requests that the rejection of claims 31-40, 44 and 46 under 35 U.S.C. 103(a) be withdrawn.

Claims 41, 42, 45 and 47 were rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Kato, Yoshihara, Yamada, Miyake and Lumley, U.S. Patent No. 7,009,726 B2 (hereinafter, Lumley). Applicant respectfully requests reconsideration of the rejection of claims 41, 42, 45 and 47 in view of the following.

Claims 41, 42, 45 and 47 are believed allowable due to their dependence on their otherwise allowable base claim 31, since, as set forth above with respect to claim 31, Kato, Yoshihara, Yamada and Miyake, taken alone or in combination, do not disclose, teach, or suggest the subject matter of claim 31, and since Lumley does not make up for the deficiency of Kato, Yoshihara, Yamada and Miyake as with respect to claim 30, nor is it so asserted. Rather, Lumley is relied upon for the subject matter recited in claims 41, 42, 45 and 47.

Accordingly, for at least the reasons set forth above, Applicant believes that claims 41, 42, 45 and 47 are in condition for allowance in their present form, and thus respectfully requests that the rejection of claims 41, 42, 45 and 47 under 35 U.S.C. 103(a) be withdrawn.

For the foregoing reasons, Applicant submits that no combination of the cited references teaches, discloses or suggests the subject matter of the appended claims. The appended claims are therefore in condition for allowance, and Applicant respectfully requests withdrawal of all rejections and allowance of the claims.

In the event Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby conditionally

petitions therefor and authorizes that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (317) 894-0801.

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